

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Katherine White	Team: Squad #05	CCRB Case #: 202001588	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 02/07/2020 10:00 PM	Location of Incident: Castleton Avenue between Nicholas Avenue and Grove Place	18 Mo. SOL 3/24/2022	Precinct: 121		
Date/Time CV Reported Sat, 02/08/2020 11:25 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 02/26/2020 11:10 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Galo Lopez	05604	933945	SRG 5
2. POM Timothy Foder	05383	933783	SRG 05

Officer(s)	Allegation	Investigator Recommendation
A.POM Galo Lopez	Abuse: Police Officer Galo Lopez stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.	
B.POM Galo Lopez	Abuse: Police Officer Galo Lopez questioned § 87(2)(b)	
C.POM Galo Lopez	Abuse: Police Officer Galo Lopez interfered with § 87(2)(b) use of a recording device.	
D.POM Galo Lopez	Abuse: Police Officer Galo Lopez threatened to arrest § 87(2)(b)	
E.POM Galo Lopez	Abuse: Police Officer Galo Lopez refused to provide his shield number to § 87(2)(b)	
F.POM Galo Lopez	Abuse: Police Officer Galo Lopez refused to provide [HIS/HER] name to § 87(2)(b)	
G.POM Timothy Foder	Abuse: Police Officer Timothy Foder refused to provide his shield number to § 87(2)(b)	
H.POM Timothy Foder	Abuse: Police Officer Timothy Foder refused to provide his name to § 87(2)(b)	
I.POM Galo Lopez	Abuse: Police Officer Galo Lopez failed to provide § 87(2)(b) with a business card.	
§ 87(2)(g), § 87(4-b)		
§ 87(2)(g), § 87(4-b)		

Case Summary

On February 8, 2020, § 87(2)(b) filed this complaint by phone with IAB, generating original log number § 87(2)(b) (**BR01**). § 87(2)(b) filed the complaint on behalf of himself, his mother § 87(2)(b) and his stepfather § 87(2)(b). The CCRB received the complaint on February 26, 2021.

On February 7, 2020, at approximately 11 p.m., § 87(2)(b) was driving with § 87(2)(b) and § 87(2)(b) when Police Officers Galo Lopez and Timothy Foder, both of SRG 5, pulled him over on Castleton Avenue between Nicholas Avenue and Grove Place (**Allegation A: Abuse of Authority**, § 87(2)(g)). PO Lopez asked § 87(2)(b) if he had been drinking alcohol (**Allegation B: Abuse of Authority**, § 87(2)(g)). PO Lopez allegedly prevented § 87(2)(b) from recording the interaction by telling § 87(2)(b) that he could not hold his phone (**Allegation C: Abuse of Authority**, § 87(2)(g)). PO Lopez threatened to arrest § 87(2)(b) (**Allegation D: Abuse of Authority**, § 87(2)(g)). § 87(2)(b) requested PO Lopez's shield number, and PO Lopez said he would provide it at a stationhouse. § 87(2)(b) agreed to take a preliminary breath test, the results of which indicated that he had no blood alcohol content. § 87(2)(b) asked PO Lopez for his shield number again and asked him for his name, both of which he allegedly did not provide (**Allegations E-F: Abuse of Authority**, § 87(2)(g)). § 87(2)(b) also asked PO Foder for his name and shield number, and he also allegedly failed to provide that information (**Allegations G-H: Abuse of Authority**, § 87(2)(g)). PO Lopez did not provide a business card to § 87(2)(b) (**Allegation I: Abuse of Authority**, § 87(2)(g)). § 87(2)(g), § 87(4-b)

The investigation obtained BWC footage from PO Lopez and PO Foder (**BR02-03**, summarized at **BR04**). All references to video footage below use the time stamp in the video player, and not the time stamp from any onscreen clock embedded in the footage itself.

PO Foder has since been reassigned to the Counterterrorism Division Emergency Preparation and Exercise Security command.

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Galo Lopez stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.

§ 87(2)(b) and § 87(2)(b) are native Spanish speakers and provided their testimony in Spanish. § 87(2)(b) speaks limited English. § 87(2)(b) testified that she does not understand English.

§ 87(2)(b) provided testimony in an IAB complaint (**BR01**), initial phone statement (**BR05**), CCRB interview (**BR06**), and follow-up phone call (**BR24**). His statements were generally consistent except where noted below. He recounted that he, § 87(2)(b) and § 87(2)(b) went to § 87(2)(b) in Staten Island after getting into a vehicle accident in Brooklyn earlier that day. They then ate dinner at a restaurant, during which none of them drank alcohol. After leaving the restaurant, § 87(2)(b) saw the officers' vehicle make a U-turn to follow him before pulling him over. § 87(2)(b) did not testify specifically regarding whether he committed any traffic infractions prior to the stop.

§ 87(2)(b) and § 87(2)(b) provided brief phone statements but did not provide full

sworn statements (BR07-08). Neither provided testimony regarding whether § 87(2)(b) briefly drove onto the double-yellow line or committed any other traffic infractions.

The BWC footage (BR02-03) did not capture § 87(2)(b) vehicle before the stop. At no point during the footage does PO Lopez or anyone else mention § 87(2)(b) having driven on the double-yellow lines, or about any other infractions aside from driving while intoxicated. The SRG5 roll call showed that PO Lopez and PO Foder were assigned to DWI enforcement at the time of the incident (BR09).

PO Lopez testified (BR10) that he was driving behind § 87(2)(b) vehicle and saw that § 87(2)(b) drove onto the double-yellow lines for “a few seconds.” PO Lopez decided to pull him over for that infraction and to see if he was “ok.” PO Lopez ultimately used his discretion not to issue a summons to § 87(2)(b) for the infraction.

PO Foder testified (BR12) that PO Lopez made the decision to stop § 87(2)(b) vehicle. He did not see the infraction and could not remember if PO Lopez ever told him what infraction he observed or why he was stopping the vehicle. As a result, the investigation pleaded this allegation solely against PO Lopez.

§ 87(2)(g)

Allegation (B) Abuse of Authority: Police Officer Galo Lopez questioned § 87(2)(b)

It is undisputed that PO Lopez asked § 87(2)(b) how much alcohol he had consumed that evening and asked him if he would submit to a breath test.

PO Lopez’s BWC footage (BR02, beginning at 01:06) captured his initial interaction with § 87(2)(b). § 87(2)(b) had his registration and identification ready by the time PO Lopez reached his driver’s window, and he told him that he did not have his physical license on him at the time. § 87(2)(b) also made remarks regarding his having seen PO Lopez following him. PO Lopez asked him if he was going home, and § 87(2)(b) explained that he was coming from a hospital as a result of an accident. PO Lopez asked him if he suffered any injuries, and § 87(2)(b) confirmed that his back was injured. PO Lopez then said, “Let me ask you a question: How much have you had to drink tonight?” § 87(2)(b) replied, “I don’t drink.” PO Lopez asked, “Are you sure?” § 87(2)(b) said, “Yeah, I’m sure. 100%.” PO Lopez then told § 87(2)(b) that there was a smell of alcohol on his breath. § 87(2)(b) asked if PO Lopez wanted him to take a test, and PO Lopez asked him if he wanted to take a test. § 87(2)(b) answered, “If you’re sure. That’s what you said. We can do that—if I call my lawyer.” PO Lopez then instructed § 87(2)(b) to exit the vehicle.

The footage confirms that § 87(2)(b) spoken English was poor during the incident. His diction and verb conjugation were often inapt, and at times he did not appear to be answering PO Lopez’s questions. It should be noted, however, that most of those instances occurred after PO Lopez first asked him how much alcohol he had consumed. Aside from § 87(2)(b) limited English, his initial conversation with PO Lopez at his driver’s window, as seen in the BWC footage, did not contain any apparent indications that he was intoxicated. He did not slur his words during the initial conversation with PO Lopez. It cannot be determined from the footage whether § 87(2)(b) eyes were “watery” or “glassy.”

§ 87(2)(b) did not specifically allege that PO Lopez asked him how much he alcohol he had

consumed. He recounted instead that PO Lopez simply told him he was drunk and continued to make that claim despite § 87(2)(b) denials. § 87(2)(b) and § 87(2)(b) similarly recounted that PO Lopez merely said that § 87(2)(b) was drunk.

As noted above, PO Lopez stopped § 87(2)(b) after allegedly seeing him momentarily drive onto the double-yellow lines. PO Lopez testified that he smelled a “light” odor of alcohol on § 87(2)(b) breath when he began speaking to him. PO Lopez also observed that § 87(2)(b) eyes were “glassy” and “watery.” PO Lopez also recounted noticing that § 87(2)(b) speech “seemed a little slurred.” When asked to elaborate, PO Lopez explained that he meant that § 87(2)(b) was “dragging his words.” PO Lopez acknowledged that § 87(2)(b) “slurred” and “dragging” speech could have been due to his “broken English.” PO Lopez noted generally that he believed § 87(2)(b) understood him throughout the incident because § 87(2)(b) complied with the “majority” of his orders. Although PO Lopez speaks Spanish, he did not attempt to speak in Spanish to § 87(2)(b) because he did not want to offend him by assuming that he wanted to speak in Spanish. PO Lopez did not see any alcohol inside the vehicle.

PO Foder testified that he stood at the front passenger window during PO Lopez’s initial conversation with § 87(2)(b). The window was raised, and he could not hear any of the conversation. When PO Lopez instructed § 87(2)(b) to exit, PO Foder assumed it was because PO Lopez suspected that § 87(2)(b) was intoxicated.

As previously noted, the investigation could not determine if § 87(2)(b) briefly drove onto the double-yellow line. The investigation also could not determine if § 87(2)(b) eyes were “watery” or “glassy.” The investigation also could not determine if PO Lopez detected an odor of alcohol on § 87(2)(b) breath. Based upon the BWC, the investigation found that § 87(2)(b) was not slurring his words during the brief conversation before PO Lopez asked him how much alcohol he had consumed, especially as PO Lopez himself acknowledged being aware that any unusual elements of § 87(2)(b) spoken English could have been related to his lack of fluency.

Patrol Guide Procedure 212-11 (BR26) dictates that an officer must have founded suspicion that criminal activity is afoot in order to ask a civilian pointed or accusatory questions. Such questioning is generally referred to as a “common law right of inquiry.” Founded suspicion of criminal activity arises when there is some present indication of criminality based on observable conduct or reliable hearsay information.

The Patrol Guide is written in the general context of investigative encounters with pedestrians, and thus only conceives of an officer asking accusatory questions based upon founded suspicion in a scenario where the officer has not already stopped the civilian. In this instance, however, PO Lopez had only stopped § 87(2)(b) for allegedly committing a non-criminal traffic infraction. As a result, the investigation concluded that PO Lopez needed separate founded suspicion to question § 87(2)(b) in an accusatory manner regarding whether he had committed the crime of driving while intoxicated.

§ 87(2)(g)
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§ 87(2)(g)

Allegation (C) Abuse of Authority: Police Officer Galo Lopez interfered with § 87(2)(b) use of a recording device.

§ 87(2)(b) statements about this allegation were not consistent. In his phone statement, he recounted that PO Lopez told him to get out of the vehicle and to put his phone down. § 87(2)(b) told PO Lopez that he wanted to record the interaction, and PO Lopez told him he could not record it. In his sworn interview, § 87(2)(b) testified that he did not actually tell PO Lopez that he wanted to use his phone to record, and that he merely said he “need[ed]” the phone. PO Lopez told him he could not have his phone. Then in a later follow-up phone call, § 87(2)(b) alleged that PO Lopez specifically told him he could not record (BR25).

§ 87(2)(b) recounted that § 87(2)(b) said he wanted to use his phone to record, and that either PO Lopez or PO Foder said, “You don’t have the right to record.” § 87(2)(b) similarly recounted that PO Lopez told § 87(2)(b) to leave his phone in the car after § 87(2)(b) said he was going to record the incident. As previously noted, § 87(2)(b) (b) also testified that she cannot not understand spoken English.

PO Lopez’s BWC footage (BR02, beginning at 02:36) shows that § 87(2)(b) never actually said that he wanted to record the incident. § 87(2)(b) said he was going to call his lawyer and began manipulating his phone when PO Lopez instructed him to exit the vehicle. PO Lopez said, “Can you put the phone down, please? Can you give the phone to your friend? You could put it right there. Thank you.” § 87(2)(b) then exited without his phone. The footage does not show PO Lopez ever saying that § 87(2)(b) could not record.

PO Lopez testified that § 87(2)(b) told him he wanted to call a friend who was a member of the NYPD to ask for his advice about the vehicle stop. PO Lopez told § 87(2)(b) that he could not call his friend. PO Lopez explained that drivers generally are not permitted to make phone calls during a traffic stop, and that it can be used as a tactic to delay the process of the stop.

Based upon the BWC footage, the investigation determined that § 87(2)(b) did not give any indication to PO Lopez that he wanted to record the incident using his phone. Instead, he manipulated the phone while talking about wanting to call his lawyer, while PO Lopez was attempting to get him to exit the vehicle. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (D) Abuse of Authority: Police Officer Galo Lopez threatened to arrest § 87(2)(b).

In his initial phone statement, § 87(2)(b) alleged that he continued to say that he wanted to call his lawyer after he exited the vehicle, and that PO Lopez told him, “No, you’re going to jail if you try to call.” In his sworn statement, § 87(2)(b) testified merely that he said he wanted to call his friend who was an NYPD member, and that PO Lopez told him he was not permitted to call anyone. § 87(2)(b) did not allege, during his sworn interview, that either officer ever threatened to arrest him.

PO Lopez’s BWC footage (BR02, beginning at 3:07), captured the portion of the incident after § 87(2)(b) exited his vehicle. He and PO Lopez spoke outside the vehicle for approximately three more minutes before § 87(2)(b) took the breath test. The footage showed that PO Lopez did not threaten to arrest § 87(2)(b) specifically if he made a phone call, but that he did tell § 87(2)(b) he could arrest him simply based upon his observations of him during the incident. PO Lopez asked

§ 87(2)(b) if he wanted to take the breath test, and § 87(2)(b) said he would if PO Lopez wanted him to do so. PO Lopez then asked him if he would “like” to take it, and § 87(2)(b) said no. PO Lopez continued to ask if he would take the test upon it being offered. § 87(2)(b) said that he had not been drinking and asked if it was his decision whether or not to take the test. PO Lopez then said, “So, now you know, based on my observations, I could bring you back to a precinct, you know that right?” § 87(2)(b) answered, “You wanna bring me? I don’t drink alcohol. If, uh, you think... that’s what... it does... that I show you, I take it, go ahead.” PO Lopez continued, “So you know what happens when you go back to the precinct and refuse the test? Your license gets suspended.” As will be detailed below, § 87(2)(b) later asked for PO Lopez’s shield number, and PO Lopez told him he would give it to him at the stationhouse.

As previously noted, the investigation could not determine if PO Lopez saw § 87(2)(b) momentarily drive on the double-yellow lines, if § 87(2)(b) eyes were watery, or if PO Lopez smelled an odor of alcohol on § 87(2)(b) breath. The investigation did determine, based on the video footage, that § 87(2)(b) was not slurring his words. The above-described footage also shows that § 87(2)(b) quickly provided his documentation and complied with PO Lopez’s directions, that he was responsive to questions but hampered by a language barrier, that he did not appear to be unsteady on his feet, and that he did not exhibit any other apparent indications of alcoholic impairment.

PO Lopez testified that the typical procedure when a motorist refuses to take a portable breath test is to arrest the motorist, and that the motorist’s license will be suspended if he continues to refuse to take the test. PO Lopez said that § 87(2)(b) broken English made it hard to understand what he wanted to do, and PO Lopez was confused about whether § 87(2)(b) was refusing to take the test or whether he would refuse. This conversation went on for “a minute or two.” PO Lopez believed that § 87(2)(b) was “heading” towards refusing to take the test, and that he seemed “scared” and “hesitant” about the test. PO Lopez tried to give § 87(2)(b) “every chance he could” to take the test. PO Lopez made the statements about taking § 87(2)(b) to the stationhouse because he believed that § 87(2)(b) was intoxicated, and he “didn’t want to argue with him anymore.”

NY CLS Vehicle and Traffic Law § 1192.1 states that no person shall operate a motor vehicle while the person’s ability to operate such motor vehicle is impaired by the consumption of alcohol (**BR27**). Patrol Guide Procedure 208-01 (BR13) states that an officer may make an arrest when he has “reasonable cause” to believe that a crime has been committed in his presence. “Reasonable cause for an arrest for driving while under the influence of alcohol may be established through the police officer’s observations of the defendant’s condition and/or utilizing the so-called screening or field sobriety tests to determine whether the person is intoxicated or impaired.” *People v. Pagan*, 165 Misc. 2d 255 (Crim. Ct., Queens Co. 1995) (**BR28**). In general, courts have found that officers had such reasonable cause when they observed some combination of factors, including: (1) a traffic infraction, and especially multiple infractions or infractions which strongly indicated impairment, like disregarding red lights or stop signs, crossing into oncoming traffic, or getting into collisions; (2) unsteadiness, difficulty standing, swaying, or staggering; (3) red, bloodshot, glassy, or watery eyes; (4) an odor of alcohol on the breath; (5) slurred, impaired, or disjointed speech; (6) confusion or disorientation; and (7) an admission that the motorist had consumed alcohol. (see *People v. Tieman*, 112 A.D.3d 975 (3rd Dept. 2013); *People v. Poje*, 270 A.D.2d 649 (3rd Dept. 2000); *People v. Grow*, 249 A.D.2d 686 (3rd Dept. 1998); *People v. Rossi*, 163 A.D.2d 660 (3rd Dept. 1990); *People v. Bratcher*, 165 A.D.2d 906 (3rd Dept. 1990)) (**BR29**).

While trying to convince § 87(2)(b) to take the portable breath test, PO Lopez told him that he already had sufficient cause to arrest him and transport him to a stationhouse. § 87(2)(g)

§ 87(2)(g) At most, § 87(2)(b) momentarily drove onto, but not over, the double-yellow line, which would not have been particularly indicative of impairment. Throughout the incident, § 87(2)(b) was responsive and alert, followed instructions, denied that he had consumed any alcohol, did not slur his speech, and exhibited no signs of unsteadiness or difficulty standing.

§ 87(2)(g)

Allegation (E) Abuse of Authority : Police Officer Galo Lopez refused to provide his name to

§ 87(2)(b)

Allegation (F) Abuse of Authority: Police Officer Galo Lopez refused to provide his shield number to

§ 87(2)(b)

Allegation (G) Abuse of Authority: Police Officer Timothy Foder refused to provide his name to

§ 87(2)(b)

Allegation (H) Abuse of Authority: Police Officer Timothy Foder refused to provide his shield number to

§ 87(2)(b)

PO Lopez's BWC footage (BR02, beginning at 4:25) shows that § 87(2)(b) asked for PO Lopez's precinct, and PO Lopez told him he worked for a "citywide unit." § 87(2)(b) said, "Ok. Just tell me what I can do. I'm not drinking, I'm coming from the hospital. I come now from the hospital, look at the time. That's here, that's my mom. You think I'm drinking?" PO Lopez left to get the breath test. When PO Lopez returned, he confirmed to § 87(2)(b) that his BWC was recording. § 87(2)(b) then said, "Ok, I want to make sure. Can I get your badge, in case I want to do that, but can I get your badge, in writing?" PO Lopez replied, "I'll give it to you at the precinct, sir." § 87(2)(b) took the breath test, and PO Lopez deactivated his BWC shortly afterward. PO Foder also deactivated his BWC immediately after the test.

§ 87(2)(b) recounted that, prior to exiting his vehicle, he told PO Lopez that he wanted to see his shield number and PO Foder's shield number, and that PO Lopez said, "I'll give it to you in a little bit," then covered his shield with his hand. As noted above, the BWC footage shows that this exchange did not take place during the incident. § 87(2)(b) further recounted that, after the conclusion of the breath test, he told PO Lopez and PO Foder, "I want your names and badge numbers and the precinct where you work." PO Lopez said, "I'm not a regular officer," and said that he was from a "higher" command. PO Lopez did not state his name or shield number. PO Foder also did not provide his name or shield number. § 87(2)(b) did not recount that PO Foder responded in any manner to his request.

§ 87(2)(b) recounted that he remained in the vehicle but heard § 87(2)(b) ask the officers for their names and shield numbers. PO Lopez asked why § 87(2)(b) wanted to know their names, and § 87(2)(b) said that he had not done anything and they had no right to stop him. One of the officers then said that they would not give him their names. As previously noted, § 87(2)(b) does not understand English.

PO Lopez testified that he deactivated his BWC at the conclusion of the breath test, at which point § 87(2)(b) asked for his name and asked for a paper to write it down. PO Lopez told him that he could not give him a pen and paper, but he verbally stated that his name, shield number, and command. PO Lopez denied that he refused to provide his name or shield number. PO Lopez did not remember if § 87(2)(b) asked PO Foder for his name and shield number. With regard to the request for his shield number that was captured in the BWC footage, PO Lopez explained that he believed § 87(2)(b) was going to refuse to take the test, that he would subsequently be arrested,

and that PO Lopez would provide his identifying information to him during that process.

PO Foder denied that § 87(2)(b) ever asked for his name or shield number. As a result, PO Foder did not provide this information to § 87(2)(b). PO Foder did not recall if § 87(2)(b) asked PO Lopez for his name and shield number, and he did not recall if PO Lopez provided his name and shield number to § 87(2)(b). PO Foder did not recall PO Lopez ever refusing to provide his name. PO Foder also added that he and PO Lopez's names and shield numbers are clearly written on their jackets and are easy to see.

It is clear that § 87(2)(b) did request PO Lopez's name and shield number after the conclusion of the BWC footage. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

(I) Abuse of Authority: Police Officer Galo Lopez failed to provide § 87(2)(b) with a business card.

It is undisputed that PO Lopez did not offer a business card to § 87(2)(b).

§ 87(2)(b) did not testify as to whether either officer ever offered him a business card. However, he did not recount that the officers provided him with cards, and it was clear from his testimony that he never learned either officer's name or shield number. PO Lopez did not offer a business card to § 87(2)(b) in the time captured by the BWC footage. § 87(2)(g)

§ 87(2)(g)

PO Lopez testified that he did not give a card to § 87(2)(b) because he believed, at the time of the incident, that he was only required to provide a business card to suspects of "violent felony" offenses like "shootings and robberies." He believed he was not required to provide them for "routine" vehicle stops. Soon after the incident, PO Lopez learned during a Police Academy training on electronic memo books that if any civilian asks for an officer's name and information, the officer should provide a business card.

NYC Administrative Code §14-174 (BR25) and Patrol Guide Procedure 203-09 (BR11) state that an officer must provide a business card if he questions an individual suspected of criminal activity. The Patrol Guide characterizes such questioning as "Level 2," or equivalent to a common law right of inquiry based upon founded suspicion.

As PO Lopez asked pointed and accusatory questions of § 87(2)(b) regarding whether he was driving while intoxicated, he was required to proactively offer him a business card at the conclusion of the encounter. PO Lopez did not do so, and he admitted that his understanding of the Right To Know Act requirements was incorrect at the time of the incident. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g), § 87(4-b)

§ 87(2)(g), § 87(4-b)

§ 87(2)(g), § 87(4-b)

§ 87(2)(g), § 87(4-b)

§ 87(2)(g), § 87(4-b)

§ 87(2)(g), § 87(4-b)

[REDACTED]

[REDACTED]

[REDACTED]

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) and § 87(2)(b) have been party (**BR15-17**).
- Police Officer Galo Lopez has been a member of the NYPD for 17 years, and has been a subject in three CCRB complaints and three allegations, none of which were § 87(2)(g) § 87(2)(g)
- Police Officer Timothy Foder has been a member of service for seventeen years, and has been a subject in one CCRB complaint and one allegation, which was not § 87(2)(g) § 87(2)(g)

Mediation, Civil, and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of December 12, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this to complaint (**BR18-20**).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad: 5

Investigator: KW Inv. Katherine White January 26, 2022
Signature Print Title & Name Date

Squad Leader: Daniel Giansante IM Daniel Giansante January 26, 2022
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date

